

(5) Denying access to visitors who do not have a verified destination;

(6) Deterring waterside access to the vessel, which may include, in liaison with the facility, providing boat patrols; and

(7) Establishing a restricted area on the shoreside of the vessel, in close cooperation with the facility.

(g) *MARSEC Level 3*. In addition to the security measures required for MARSEC Level 1 and MARSEC Level 2, the vessel owner or operator must ensure the implementation of additional security measures, as specified for MARSEC Level 3 in the approved VSP. The additional security measures may include:

(1) Screening all persons, baggage, and personal effects for dangerous substances and devices;

(2) Performing one or more of the following on unaccompanied baggage:

(i) Screen unaccompanied baggage more extensively, for example, x-raying from two or more angles;

(ii) Prepare to restrict or suspend handling unaccompanied baggage; or

(iii) Refuse to accept unaccompanied baggage on board;

(3) Being prepared to cooperate with responders and facilities;

(4) Limiting access to the vessel to a single, controlled access point;

(5) Granting access to only those responding to the security incident or threat thereof;

(6) Suspending embarkation and/or disembarkation of personnel;

(7) Suspending cargo operations;

(8) Evacuating the vessel;

(9) Moving the vessel; and

(10) Preparing for a full or partial search of the vessel.

§ 104.270 Security measures for restricted areas.

(a) *General*. The vessel owner or operator must ensure the designation of restricted areas in order to:

(1) Prevent or deter unauthorized access;

(2) Protect persons authorized to be on board;

(3) Protect the vessel;

(4) Protect sensitive security areas within the vessel;

(5) Protect security and surveillance equipment and systems; and

(6) Protect cargo and vessel stores from tampering.

(b) *Designation of Restricted Areas*. The vessel owner or operator must ensure restricted areas are designated on board the vessel, as specified in the approved plan. Restricted areas must include, as appropriate:

(1) Navigation bridge, machinery spaces and other control stations;

(2) Spaces containing security and surveillance equipment and systems and their controls and lighting system controls;

(3) Ventilation and air-conditioning systems and other similar spaces;

(4) Spaces with access to potable water tanks, pumps, or manifolds;

(5) Spaces containing dangerous goods or hazardous substances;

(6) Spaces containing cargo pumps and their controls;

(7) Cargo spaces and spaces containing vessel stores;

(8) Crew accommodations; and

(9) Any other spaces or areas vital to the security of the vessel.

(c) The vessel owner or operator must ensure that security measures and policies are established to:

(1) Identify which vessel personnel are authorized to have access;

(2) Determine which persons other than vessel personnel are authorized to have access;

(3) Determine the conditions under which that access may take place;

(4) Define the extent of any restricted area;

(5) Define the times when access restrictions apply; and

(6) Clearly mark all restricted areas and indicate that access to the area is restricted and that unauthorized presence within the area constitutes a breach of security.

(d) *Maritime Security (MARSEC) Level 1*. The vessel owner or operator must ensure the implementation of security measures to prevent unauthorized access or activities within the area. These security measures may include:

(1) Locking or securing access points;

(2) Monitoring and using surveillance equipment;

(3) Using guards or patrols; and

(4) Using automatic intrusion detection devices, which if used must activate an audible and/or visual alarm at

a location that is continuously attended or monitored, to alert vessel personnel to unauthorized access.

(e) *MARSEC Level 2.* In addition to the security measures required for MARSEC Level 1 in this section, at MARSEC Level 2, the vessel owner or operator must also ensure the implementation of additional security measures, as specified for MARSEC Level 2 in the approved VSP. These additional security measures may include:

(1) Increasing the frequency and intensity of monitoring and access controls on existing restricted access areas;

(2) Restricting access to areas adjacent to access points;

(3) Providing continuous monitoring of each area, using surveillance equipment; and

(4) Dedicating additional personnel to guard or patrol each area.

(f) *MARSEC Level 3.* In addition to the security measures required for MARSEC Level 1 and MARSEC Level 2, at MARSEC Level 3, the vessel owner or operator must ensure the implementation of additional security measures, as specified for MARSEC Level 3 in the approved VSP. These additional security measures may include:

(1) Restricting access to additional areas; and

(2) Searching restricted areas as part of a security sweep of the vessel.

§ 104.275 Security measures for handling cargo.

(a) *General.* The vessel owner or operator must ensure that security measures relating to cargo handling, some of which may have to be applied in liaison with the facility, are specified in order to:

(1) Deter tampering;

(2) Prevent cargo that is not meant for carriage from being accepted and stored on board the vessel;

(3) Identify cargo that is approved for loading onto the vessel;

(4) Include inventory control procedures at access points to the vessel;

(5) Coordinate security measures with the shipper or other responsible party in accordance with an established agreement and procedures; and

(6) Be able to check cargo for dangerous substances and devices at the

rate specified in the approved Vessel Security Plan. Means to check cargo include:

(i) Visual examination;

(ii) Physical examination;

(iii) Detection devices such as scanners; or

(iv) Canines.

(b) *Maritime Security (MARSEC) Level 1.* At MARSEC Level 1, the vessel owner or operator must ensure the implementation of measures to:

(1) Routinely check cargo and cargo spaces prior to and during cargo handling;

(2) Check that cargo to be loaded matches the cargo documentation, or that cargo markings or container numbers match the information provided with shipping documents;

(3) Ensure, in liaison with the facility, that vehicles to be loaded on board car carriers, RO-RO, and passenger ships are subjected to screening prior to loading, in accordance with the frequency required in the VSP; and

(4) Check, in liaison with the facility, seals or other methods used to prevent tampering.

(c) *MARSEC Level 2.* In addition to the security measures required for MARSEC Level 1 in this section, at MARSEC Level 2, the vessel owner or operator must also ensure the implementation of additional security measures, as specified for MARSEC Level 2 in the approved Vessel Security Plan (VSP). These additional security measures may include:

(1) Increasing the frequency and detail of checking cargo and cargo spaces;

(2) Intensifying checks to ensure that only the intended cargo, container, or other cargo transport units are loaded;

(3) Intensifying screening of vehicles to be loaded on car-carriers, RO-RO, and passenger vessels;

(4) In liaison with the facility, increasing frequency and detail in checking seals or other methods used to prevent tampering;

(5) Increasing the frequency of the use of scanning/detection equipment, mechanical devices, or canines; or

(6) Coordinating enhanced security measures with the shipper or other responsible party in accordance with an established agreement and procedures.